

EXHIBIT 7


RE: 9307674 Bruce, Michael vs. Sana Health: 10638776 Guy, Justin vs. Absopure Water Company, LLC.: *EXT* Answer to Complaint in 2:20-cv-12734-MAG-EAS Guy v. Absopure Water Company

Michael Hanna <MHanna@forthepeople.com>

Tue 3/16/2021 7:03 PM

To: Ronald G. Acho <racho@cmda-law.com>

Cc: Julie A. Callahan <jcallahan@cmda-law.com>; Haba Yono <hyono@forthepeople.com>; Veronica Stewart x8313 <vstewart@forthepeople.com>

 1 attachments (29 KB)

Guy v Absopure -Joint Discovery Plan.docx;

Mr. Acho:

I have attached Plaintiff's Proposed Rule 26 Joint Discovery Plan. Please provide me a few available times to discuss as required.

Michael Hanna

Attorney

[My Bio](#)

P: (313) 739-1950

F: (313) 739-1975

A: 2000 Town Center, Suite 1900, Southfield, MI 48075

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A referral is the best compliment. If you know anyone that needs our help, please have them call our office 24/7.

From: Ronald G. Acho [mailto:racho@cmda-law.com]

Sent: Friday, March 12, 2021 3:43 PM

To: Michael Hanna x8310

Cc: Julie A. Callahan

Subject: RE: 9307674 Bruce, Michael vs. Sana Health: 10638776 Guy, Justin vs. Absopure Water Company, LLC.: *EXT* Answer to Complaint in 2:20-cv-12734-MAG-EAS Guy v. Absopure Water Company

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Mr. Hanna:

Yes, I will make time to speak with you before March 25th.

Best regards,

Ron

Ronald G. Acho
(734) 261-2400

From: Michael Hanna <MHanna@forthepeople.com>

Sent: Friday, March 12, 2021 3:35 PM

To: Ronald G. Acho <racho@cnda-law.com>

Subject: RE: 10638776 Guy, Justin vs. Absopure Water Company, LLC.: *EXT* Answer to Complaint in 2:20-cv-12734-MAG-EAS Guy v. Absopure Water Company

I will send you a proposed joint discovery plan for you to review and incorporate your position by Tuesday, March 16.

However, the Court's Order states:

Also prior to the scheduling conference, Plaintiff is required to initiate a conference with opposing counsel for the purpose of preparing a joint discovery plan in accordance with Federal Rule of Civil Procedure 26(f). The joint discovery plan must be filed on the docket **one week before the Court's scheduling conference.**

ECF No. 13, PageID.255.

Since the Scheduling conference is set for April 1, 2021, and we need to file the joint discovery plan by March 25, 2021, we would need to set up a conference call before March 25.

If you can carve out 10 minutes before March 25 to conduct the required conference, I think that should be sufficient. Otherwise, to the extent Defendant wishes to move to extend these deadlines with the Court to accommodate your out-of-town schedule, Plaintiff will not oppose.

Michael Hanna

Attorney

[My Bio](#)

P: (313) 739-1950

F: (313) 739-1975

A: 2000 Town Center, Suite 1900, Southfield, MI 48075

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A referral is the best compliment. If you know anyone that needs our help, please have them call our office 24/7.

From: Ronald G. Acho [<mailto:racho@cnda-law.com>]

Sent: Friday, March 12, 2021 3:26 PM

To: Michael Hanna x8310

Subject: RE: 10638776 Guy, Justin vs. Absopure Water Company, LLC.: *EXT* Answer to Complaint in 2:20-cv-12734-MAG-EAS Guy v. Absopure Water Company

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Mr. Hanna:

I am unavailable next week because I am out of town until March 31st. Please send me your portion of the Joint Discovery Plan and I will incorporate our position and return it to you. Once that is complete we can schedule the telephone conference and resolve any differences before filing the Plan with the Court.

Best Regards,

Ron

Ronald G. Acho

Cummings, McClorey, Davis & Acho, PLC

17436 College Parkway

Livonia, MI 48152

Telephone: (734) 261-2400

Facsimile: (734) 261-4510

From: Michael Hanna <MHanna@forthepeople.com>

Sent: Thursday, March 11, 2021 4:29 PM

To: Ronald G. Acho <racho@cmda-law.com>; Haba Yono <hyono@forthepeople.com>; Andrea White <awhite@forthepeople.com>

Subject: FW: 10638776 Guy, Justin vs. Absopure Water Company, LLC.: *EXT* Answer to Complaint in 2:20-cv-12734-MAG-EAS Guy v. Absopure Water Company

Counsel:

Are you available next Tuesday to confer on a proposed case management plan?

How's 2 p.m.?

Michael Hanna

Attorney

[My Bio](#)

P: (313) 739-1950

F: (313) 739-1975

A: 2000 Town Center, Suite 1900, Southfield, MI 48075

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A referral is the best compliment. If you know anyone that needs our help, please have them call our office 24/7.

From: cmecfadmin@mied.uscourts.gov [<mailto:cmecfadmin@mied.uscourts.gov>]

Sent: Thursday, March 11, 2021 4:23 PM

To: do_not_reply@mied.uscourts.gov

Subject: 10638776 Guy, Justin vs. Absopure Water Company, LLC.: *EXT* Answer to Complaint in 2:20-cv-12734-MAG-EAS Guy v. Absopure Water Company

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U.S. District Court

Eastern District of Michigan

Notice of Electronic Filing

The following transaction was entered by Acho, Ronald on 3/11/2021 at 4:23 PM EST and filed on 3/11/2021

Case Name: Guy v. Absopure Water Company

Case Number: [2:20-cv-12734-MAG-EAS](#)

Filer: Absopure Water Company

Document Number: [12](#)

Docket Text:

[ANSWER to Complaint with Affirmative Defenses and Reliance on Jury Demand by Absopure Water Company. \(Acho, Ronald\)](#)

2:20-cv-12734-MAG-EAS Notice has been electronically mailed to:

Haba Yono hyono@forthepeople.com

Michael N. Hanna mhanna@forthepeople.com, awhite@forthepeople.com,
compliancewatch@forthepeople.com, myokhana@forthepeople.com, vstewart@forthepeople.com

Ronald G. Acho racho@cnda-law.com, jcallahan@cnda-law.com, kueberroth@cnda-law.com

2:20-cv-12734-MAG-EAS Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

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[STAMP dcecfStamp_ID=1047317467 [Date=3/11/2021] [FileNumber=10253945-0] [0d10dea12bd2ba7bca7d1a56f02f5d715170776e1a56e5dc8a606002a280e73f214ae1c6eddb9ce45c3f852f9e297f7ffd121d2cb1129d14e1585d202d63388]]

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JUSTIN GUY, individually and on
behalf of those similarly situated,

Plaintiff,

v.

ABSOPURE WATER COMPANY, LLC,

Defendant.

Civil Action No. 20-12734

HON. MARK A. GOLDSMITH

JOINT DISCOVERY PLAN

Pursuant to the Court's Order Regarding Telephonic Scheduling Conference, (ECF No. 13), and Rule 26(f) of the Federal Rules of Civil Procedure, the parties jointly submit the following Joint Discovery Plan.

1) Statement of The Case:

Plaintiff: This is a collective action brought under the Fair Labor Standards Act, as amended, 29 U.S.C. § 201, *et seq.* (hereinafter "FLSA"). Plaintiff is a former local delivery driver for Defendant. Plaintiff was compensated a day rate of approximately \$120/day. Plaintiff worked in excess of forty (40) hours in various workweeks throughout the duration of his employment with Defendant. However, Defendant failed to compensate Plaintiff at a rate of one and one-half times Plaintiff's regular rate for all hours worked in excess of forty (40) hours in a given workweek, in

violation of the FLSA. Plaintiff seeks to certify a collective action class on behalf of all similarly-situated delivery drivers who worked for Defendant and are entitled to overtime compensation under the FLSA.

Defendant:

2) Jurisdiction: Plaintiff has sued Defendant under the FLSA, and his claims arise under 29 U.S.C. § 216(b). This Court has original jurisdiction over these claims under 28 U.S.C. §§ 1331.

3) Relationship, if any, to other cases: None.

4) Contemplated amendment(s) of pleadings to add or delete claims, defenses, or parties: The parties are not aware of any amendments necessary for the pleadings at this time. Plaintiff reserves the right to amend the pleadings following the completion of the conditional certification discovery period.

5) Discovery: Plaintiff seeks to certify a collective action class on behalf of all similarly-situated delivery drivers who worked for Defendant and are entitled to overtime compensation under the FLSA. Defendant denies that there is a group of similarly-situated individuals and denies that notice should be sent to advise any of their former or current employees of the pendency of this action. Nevertheless, the number of opt-in Plaintiffs who elect to join the collective action should the Court issue an Order Granting Plaintiff's Motion for Conditional Certification will

significantly impact the amount of time required to complete discovery for this collective action. Accordingly, the parties respectfully request an Order bifurcating discovery to allow for a brief period of time to conduct discovery as to the conditional certification issues and the individual named Plaintiff's claims as it stands at the present time.

Therefore, the parties propose the following bifurcated discovery plan:

EVENT	DEADLINE
Initial Disclosures under Fed.R.Civ.P. 26(a)(1)	May 1, 2021
Discovery as to conditional certification issues and as to the individual Plaintiff's claims as it stands at the present time.	November 1, 2021
Plaintiff's Motion to Conditionally Certify Collective Action	December 1, 2021

The parties request the Court stay and equitably toll all other deadlines in this matter until the completion of the class-certification period. The parties believe that their resources and the Court's resources would be best served if all remaining deadlines and discovery commence after the Court issues its Order concerning Plaintiff's Motion for Conditional Certification.

Within **ten (10) days** from the Court's ruling on Plaintiff's Motion for Conditional Certification, the parties shall file a Joint Status Report indicating how they intend to proceed in this case.

6) Anticipated Discovery Disputes and Discovery Progress:

The parties are not aware of anticipated discovery disputes at this time.

7) Facilitation/arbitration//case evaluation: The parties may be interested in facilitating this matter at the appropriate time after the Court issues its Order on conditional certification.

8) Anticipated Motion practice: The following motions are contemplated by each party: Plaintiff's Motion to Conditionally Certify the Collective Action; Plaintiff's Motion for Summary Judgment; and Defendant's Motion for Summary Judgment.

9) Prospects of Settlement: The parties have not reached a resolution at this time.

Respectfully submitted this ____ day of _____, 2021,

MORGAN & MORGAN, P.A.

CUMMINGS, McCLOREY,
DAVIS & ACHO, P.L.C.

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